IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER,

TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

-

WRIT PETITION NO : 20090 of 1993

-

Between:

M/s. Raasi Cements Ltd., rep. by Managing Director, Sri N.K.P.Raju
Vishnupuram, Nalgonda Dist.

..... PETITIONER

AND

-

1. Union of India rep. by Secretary Ministry of Labour, New Delhi
2. The Regional Labour Commissioner (Central) ATI Campus, Opp: Shivam, Vidyanagar, Hyderabad-73
3. The Asst. Labour Commissioner (Central)-II Hyderabad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to pass order that the Notification No.SO.707 dt: 17-3-1993 in the Gazette of India, Part-II, Sec.3, Sub-Sec.II at Page 1082, dt: 3-4-1993 is null and void and inoperative and ultravires the Sec.10 of the Contract Labour (Regulation & Abolition) Act.1970 consequently to restrain the respondents either by themselves or by their subordinates or agents to take any action against the petitioner and their officers in pursuance of the said Notification SO No.707, dt: 17-3-1993 by issuance of a writ or mandamus or any other appropriate writ or order or direction and to grant such other relief

Counsel for the Petitioner : MR.P.NAGESWAR SREE

Counsel for the Respondent No.1: MR A.RAJASHEKAR REDDY, S.C FOR CENTRAL GOVERNMENT.

The Court made the following :

O R D E R :

In this Writ Petition the validity of Section 10 of the Contract Labour (Regulation & Abolition) Act, 1970 was challenged.

2. Now, it is stated before this Court that the Company is no more in existence and it was merged with some other Company, inasmuch as no challenge was made by the petitioner. Hence, I am not inclined to adjudicate this matter on merits.

3. Accordingly, the Writ Petition is dismissed. No costs. However, it is open to the successor company to challenge the provisions, if so chooses.

G. BIKSHAPATHY, J

Dated:02-09-2004

ccm

To

1. The Secretary, Union of India, Ministry of Labour, New Delhi.
2. The Regional Labour Commissioner (Central) ATI Campus, Opp: Shivam, Vidyanagar, Hyderabad-73
3. The Asst. Labour Commissioner (Central)-II Hyderabad
4. 2CD copies